UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA MIAMI DIVISION

Case No.: 22-CV-22538-ALTMAN/Reid

Dominik Karnas, et al., on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

Mark Cuban, Dallas Basketball Limited, d/b/a Dallas Mavericks, Robert Gronkowski, Victor Oladipo, and Landon Cassill,

Defendants.

PLAINTIFFS' NOTICE OF FILING SUPPLEMENTAL AUTHORITY IN SUPPORT OF [ECF NO. 194] PLAINTIFFS' RESPONSE IN OPPOSITION TO DEFENDANTS' OMNIBUS MOTION [ECF NO. 189] TO DISMISS THE SECOND AMENDED COMPLAINT AND INCORPORATED MEMORANDUM OF LAW

Plaintiffs submit, as supplemental authority in support of their Response in Opposition [ECF No. 194] to Defendants' Omnibus Motion to Dismiss the Second Amended Complaint [ECF No. 189], a recent order from the District Court for the Western District of Washington in *Securities and Exchange Commission v. Ishan Wahi, et al.*, No. 2:22-cv-01009-TL, ECF No. 119 (W.D. Wash. March 1, 2024), attached as **Exhibit A**.¹

Dated: March 5, 2024 Respectfully submitted,

By: /s/ Adam M. Moskowitz

Adam M. Moskowitz

Florida Bar No. 984280

Joseph M. Kaye

Florida Bar No. 117520

Barbara C. Lewis

Florida Bar No. 118114

THE MOSKOWITZ LAW FIRM, PLLC

Continental Plaza

3250 Mary Street, Suite 202

Miami, FL 33133

By: <u>/s/ David Boies</u>

David Boies

(Admitted Pro Hac Vice)

BOIES SCHILLER FLEXNER LLP

333 Main Street

Armonk, NY 10504

Phone: (914) 749-8200

dboies@bsfllp.com

¹ See also https://www.coindesk.com/policy/2024/03/04/us-judge-enters-default-ruling-against-excoinbase-insider-says-secondary-market-sales-are-securities-transactions/ (published March 4, 2024).

Mailing Address:

P.O. Box 653409 Miami, FL 33175 Office: (305) 740-1423 adam@moskowitz-law.com joseph@moskowitz-law.com barbara@moskowitz-law.com

Co-Counsel for Plaintiffs and the Class

Jose M. Ferrer
Florida Bar No. 173746
Desiree Fernandez
Florida Bar No. 119518
MARK MIGDAL HAYDEN LLP
8 SW 8th Street, Suite 1999
Miami, FL 33130
Office: 305-374-0440
jose@markmigdal.com
desiree@markmigdal.com

Co-Counsel for Plaintiffs and the Class

Stephen Neal Zack Florida Bar No. 145215 Tyler Ulrich Florida Bar No. 94705

BOIES SCHILLER FLEXNER LLP

100 SE 2nd St., Suite 2800 Miami, FL 33131 Office: 305-539-8400 szack@bsfllp.com tulrich@bsfllp.com

Co-Counsel for Plaintiffs and the Class

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the forgoing was filed on March 5, 2024, via the Court's CM/ECF system, which will send notification of such filing to all attorneys of record.

By: <u>/s/ Adam M. Moskowitz</u>
ADAM M. MOSKOWITZ
Florida Bar No. 984280